

**TOWN PLAN AND ZONING  
COMMISSION**

Issued: July 12, 2019

**TOWN PLAN AND ZONING COMMISSION REGULAR MEETING  
MONDAY, JULY 8, 2019  
LEGISLATIVE CHAMBER, ROOM 314  
TOWN HALL, WEST HARTFORD, CT 06107**

**FINAL MINUTES**

**ATTENDANCE:** Chair: Kevin Ahern, Vice Chair: Kevin Prestage, Commissioners: Liz Gillette, John O'Donnell, Alternate: Gordon Binkhorst, Staff: Todd Dumais, Town Planner; Catherine Dorau, Associate Planner

**ABSENT:** Commissioner: Michele Maresca, Alternate: Andrea Gomes

**CALL TO ORDER/ROLL CALL: 7:00 P.M.**

**MATTERS FOR PUBLIC HEARING SHALL BE CALLED AT 7:15 P.M.**

**Gordon Binkhorst seated for Michele Maresca on all Items.**

**MINUTES:**

1. Approval of Minutes:
  - a. Minutes of the Regular Meeting, Monday, June 3, 2019  
*Motion/Binkhorst; Second/Gillette; Vote 3-0.*

**COMMUNICATIONS:**

2. Letters:
  - a. **289 South Main Street – Rockledge Golf Course** – Application (SUP# 1339) of the Town of West Hartford, application withdrawal letter from Helen Rubino-Turco, Director of Leisure Services. *Received*

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**NEW BUSINESS:**

3. **207 Bloomfield Avenue** – Application (SUP # 1306-LB-19) of Karen Casey on behalf of The Hartford Roman Catholic Diocesan Corporation, requesting TPZ review of compliance with the conditions of SUP #1306. Originally approved June 5, 2017 to allow, the Catholic Campus Ministry Center. The Center includes offices for the campus minister and campus chaplain, a small chapel, a dining area and study rooms available to students, faculty and staff



TOWN OF WEST HARTFORD

**TOWN OF WEST HARTFORD**  
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from the University. (Submitted for TPZ receipt on July 8, 2019. Suggest required public hearing be scheduled for August 5, 2019).

The TPZ acted by **unanimous vote (4 - 0)** (*Motion/Gillette; Second/Binkhorst*) (*Binkhorst seated for Maresca; O'Donnell Recused*) to schedule this matter for public hearing on **Monday, August 5, 2019 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.**

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4. **1678 Asylum Avenue – University of Saint Joseph** – Application (SUP # 1286-LB-19) of Andrew Levesque on behalf of the University of Saint Joseph, requesting TPZ review of compliance with the conditions of SUP #1286. Originally approved July 10, 2017 to allow a practice soccer field at the Northeast corner of the University's property, along Albany Avenue and adjacent to Saint Mary Home. The field is unlit and restricted to usage between the hours of 8 am and 8 pm. (Submitted for TPZ receipt on July 8, 2019. Suggest required public hearing be scheduled for August 5, 2019).

The TPZ acted by **unanimous vote (5 - 0)** (*Motion/O'Donnell; Second/ Gillette*) (*Binkhorst seated for Maresca*) to schedule this matter for public hearing on **Monday, August 5, 2019 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.**

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5. **61 Raymond Road – Skeleton Key** – Application (SUP # 1307-LB-19) of Ray Weaver on behalf of SOF-IX Blueback Square LP, requesting TPZ review of compliance with the conditions of SUP #1307. Originally approved June 5, 2017 to allow, an indoor amusement facility that fosters communication, leadership, and problem solving skills in a group setting. (Submitted for TPZ receipt on July 8, 2019. Suggest required public hearing be scheduled for August 5, 2019).

The TPZ acted by **unanimous vote (5 - 0)** (*Motion/O'Donnell; Second/ Binkhorst*) (*Binkhorst seated for Maresca*) to schedule this matter for public hearing on **Monday, August 5, 2019 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.**

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6. **637 New Park Avenue** – Application (SUP #1341) of Tate Norden on behalf of Gastro Park LLC, requesting approval of a Special Use Permit pursuant to Section 177-37.4 to permit a food truck park to be located at 637 New Park Avenue. The proposed food truck park will include space for up to four food trucks; indoor dining, bar and games areas; commissary kitchen; outdoor dining and games patio; and associated site parking. (Submitted for TPZ receipt on July 8, 2019. Suggest required public hearing be scheduled for August 5, 2019).

The TPZ acted by **unanimous vote (5 - 0)** (*Motion/Prestage; Second/O'Donnell*) (*Binkhorst seated for Maresca*) to schedule this matter for public hearing on **Monday, August 5, 2019 at**

**7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.**

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7. **60 Brook Street** – Application (IWW# 1108) of Dan Nelsen on behalf of H-K Connecticut Holding Company, LLC (R.O.) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland area. The applicant is proposing site remediation including the excavation and off-site removal of 1,585 cubic yards of soil from approximately 5,650 square feet within the 150' upland review area and replacement with clean fill. (Submitted for IWWA receipt on July 8, 2019. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, in accordance with the Town of West Hartford Inland Wetlands and Watercourse Regulations, a motion was made by the IWWA (Motion/O'Donnell, Second/Prestage) (Binkhorst seated for Maresca) to find the application to be potentially significant. By a **vote of (1-4)**, the motion failed and proposed regulated activity was found to be **NON-SIGNIFICANT** and thus conditionally approved the application based on the following findings:

**60 BROOK STREET**  
**INLAND WETLAND APPLICATION IWW #1108**  
**COMPLIANCE WITH SECTION 10.2 and 10.4**  
**STANDARDS AND CRITERIA FOR DECISION**

The request to conduct certain regulated activities at **60 Brook Street** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1108** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

- [1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.
- [2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;
- [3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.
- [4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.
- [5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;
- [6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities, which are made inevitable by the proposed regulated activity, will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures, which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel(s) of land is located **60 Brook Street**.

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein and modified by the conditions below.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.
- 3.) Prior to the start of any site disturbance, all sediment and erosion controls shall be installed.
- 4.) The permit shall expire if not exercised within five (5) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

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8. **173 Mountain Road – Spicebush Swamp Park** – Application (IWW #1109) of the Town of West Hartford, (Helen Rubino-Turco, Director of Leisure Services) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a watercourse. The applicant is proposing to dredge McGovern Pond, located within Spicebush Swamp Park to maintain the habitat and current use as an educational location and deposit the dredged materials in adjacent upland review areas. The proposed project takes place within McGovern Pond and adjacent 150’ upland review areas. (Submitted for IWWA receipt on July 8, 2019. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/O’Donnell, Second/Binkhorst) (Binkhorst seated for Maresca) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **August 5, 2019 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.**

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**OLD BUSINESS.**

9. **983 New Britain Avenue** – Application (IWW #1104), of Andrew E. Kearns (Attorney) on behalf of West Hartford No. 1, LLC, requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a watercourse, the Piper Brook. The applicant proposes site regrading and soil excavation in a parking lot area within the 150 ft. upland review area. The proposed work seeks to increase the flood storage capacity of the area, a requirement triggered by an off-site development proposal. (Submitted for IWWA receipt on May 6, 2019. Determined to be potentially significant and scheduled public hearing on June 3, 2019. Per applicant’s request the hearing was opened and immediately continued without testimony to July 8th, 2019.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/O’Donnell; Second/ Gillette) (Binkhorst seated for Maresca) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

**983 NEW BRITAIN AVENUE**  
**INLAND WETLAND APPLICATION IWW #1104**  
**COMPLIANCE WITH SECTION 10.2 and 10.4**  
**STANDARDS AND CRITERIA FOR DECISION**

The request to conduct certain regulated activities at **983 New Britain Avenue** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1104** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

[1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.

[2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;

[3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities, which are made inevitable by the proposed regulated activity, will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures, which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and

the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel(s) of land is located **983 New Britain Ave.**

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein and modified by the conditions below.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.
- 3.) Prior to the start of any site disturbance, all sediment and erosion controls shall be installed.
- 4.) Upon completion of the work, a final T-2, as-built survey shall be submitted to the Town Planner.
- 5.) The permit shall expire if not exercised within five (5) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

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10. **380 Tunxis Road (a.k.a. Middle Road, Farmington)** – Application (IWW#1097) of Orchard Heights Developers, LLC, (R.O.) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland area. The applicant is proposing a six (6) lot subdivision with associated site improvements, including a proposed public cul-de-sac street, stormwater/drainage and site grading on an approximately 2.6 acre parcel of land. Much of the proposed work is within the 150' upland review areas. (Submitted for IWWA receipt on March 4, 2019. Determined to be potentially significant and scheduled public hearing on April 1, 2019, hearing opened and immediately continued to May 6, 2019 and again to June 3, 2019. Kept open and immediately continued without testimony to July 8, 2019.)

The IWWA closed the public hearing. Deliberations were opened and immediately continued to **Monday, August 5, 2019** at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

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11. **380 Tunxis Road (a.k.a. Middle Road, Farmington)** – Application (SUB #298) of Orchard Heights Developers, LLC, (R.O.) requesting approval of a six (6) lot residential subdivision including a proposed public cul-de-sac street and stormwater drainage infrastructure on approximately 2.6 acres of land located in a R-10 single family zone. The applicant is requesting a waiver to the sidewalk requirement as required by Section 184-24 of the West Hartford Subdivision Regulations. (Submitted for TPZ receipt on March 4, 2019. Required public hearing scheduled for April 1, 2019, hearing opened and immediately continued to May 6, 2019 and again to June 3, 2019. Kept open and immediately continued without testimony to July 8, 2019.)

The TPZ closed the public hearing. Deliberations were opened and immediately continued to **Monday, August 5, 2019** at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

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12. **23 LaSalle Road - Prai Kitchen** – Application (SUP# 1304-LB-19) of Kanittha Tongsri requesting TPZ review of compliance with the conditions of SUP #1304. Original approval June 5, 2017 for a four (4) seat outdoor dining area at Prai Kitchen (FKA Murasaki). (Submitted for TPZ receipt on June 3, 2019. Required public hearing scheduled for July 8, 2019.)

The TPZ acted by **unanimous vote (5-0)** (*Motion/O'Donnell; Second/Binkhorst*) (*Binkhorst seated for Maresca*) to determine that the Special Use Permit did not require additional conditions of approval.

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13. **289 South Main Street – Rockledge Golf Course** – Application (SUP# 1272-LB-19) of the Town of West Hartford (Helen Rubino-Turco, Director of Leisure Services), requesting TPZ review of compliance with the conditions of SUP #1272-R1-15. Original approval on June 1, 2015 to allow permit an additional sixteen (16) seats in the outdoor dining area for a maximum of seventy-two (72) seats. (Submitted for TPZ receipt on June 3, 2019. Required public hearing scheduled for July 8, 2019.)

The TPZ acted by **unanimous vote (5-0)** (*Motion/Binkhorst; Second/Prestage*) (*Binkhorst seated for Maresca*) to determine that the Special Use Permit did not require additional conditions of approval.

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14. **289 South Main Street – Rockledge Golf Course** – Application (SUP# 1339) of the Town of West Hartford (Helen Rubino-Turco, Director of Leisure Services), requesting approval of a Special Use Permit to place a 12' x 16' storage shed on the north side of the building. Also proposed is an 8' x 10' fenced area for compost barrels. (Submitted for TPZ receipt on June 3, 2019. Required public hearing scheduled for July 8, 2019.) ***Note: Per communication # 2, applicant has withdrawn the application.***

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#### **TOWN COUNCIL REFERRAL:**

15. **10-60 Starkel Road --** Application filed on behalf of West Hartford Fellowship Housing, lessees of 10-60 Starkel Road, to amend existing Special Development District (SDD) #87. The amendment proposes to redevelop the existing 213 unit affordable housing complex. The proposed redevelopment contemplates the demolition of all the existing buildings, except for the building at 60 Starkel Road, and the construction of six new residential buildings, a new maintenance building, renovations to the 60 Starkel Road building, and associated parking



facilities, site lightening, landscaping, recreational, pedestrian and site improvements. A total of 308 age-restricted and accessible units are proposed under the redevelopment. (Town Council receipt June 11, 2019. TPZ receipt July 8, 2019. Town Council public hearing scheduled for July 16, 2019.) *Deferred to 8/5/19*

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**TOWN PLANNER'S REPORT:**

16. **Plan of Conservation and Development Update:** Next TPZ Subcommittee meetings scheduled for July 10<sup>th</sup>, 17<sup>th</sup>, 24<sup>th</sup>, 31<sup>st</sup> and August 14<sup>th</sup> and 28<sup>th</sup>.

*Todd Dumais provided an update, the July 10<sup>th</sup> meeting is cancelled, no action taken.*

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**MEETING ADJOURNED: 10:20 P.M.**

U: shareddocs/TPZ/Minutes/2019/July 8\_Final